



LEGISLATIVE DIGEST

HOUSE REPUBLICAN CONFERENCE | CHAIRMAN ADAM PUTNAM

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H.Res. 1361 – Expressing the sense of the House of Representatives that the United States should lead a high-level diplomatic effort to defeat the campaign by some members of the Organization of the Islamic Conference to divert the United Nation's Durban Review Conference from a review of problems in their own and other countries by attacking Israel, promoting anti-Semitism, and undermining the Universal Charter of Human Rights and to ensure that the Durban Review Conference serves as a forum to review commitments to combat all forms of racism

FLOOR SITUATION

H.Res. 1361 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Howard Berman (D-CA) on July 22, 2008. The Committee on Foreign Affairs ordered the resolution to be reported by unanimous consent on July 24, 2008.

H.Res. 1361 is expected to be considered on the floor of the House on September 23, 2008.

SUMMARY

H.Res. 1361 resolves that the House of Representatives:

- Acknowledges that the 2001 World Conference Against Racism marked an important recognition of the historic wounds caused by slavery, colonialism, and related ongoing racism and racial discrimination, including the recognition of the transatlantic slave trade as a crime against humanity, and that people of African descent, people of Asian descent, and indigenous peoples who were victims of these acts continue to face discrimination and marginalization as a direct consequence;
- Notes that the Human Rights Council agreed in Resolution 3/2 on December 8, 2006, that the 2009 Durban Review Conference would like other United Nations review conferences, focus on countries' implementation of the many commitments to fight racism and discrimination already affirmed in the official government Durban Declaration and Plan of Action and that there will be 'no renegotiation of the existing agreements contained therein';
- Commends the Governments of the United States, France, Canada, Israel, the United Kingdom, and the Netherlands that have declared their intentions not to participate in any United Nations Durban Review Conference that supplants a discussion of country commitments to combat contemporary forms of racism, racial discrimination, xenophobia, and related intolerance with a campaign that promotes hate, undermines human rights standards, and damages the credibility of the United Nations itself;
- Calls on the President to urge other heads of state to condition participation in the 2009 Durban Review Conference process on concrete action by the United Nations and United Nations Member States to ensure that it and they will reject any effort to inject anti-Semitism, hatred, and discrimination in all its forms onto the agenda of the Conference;
- Calls on the Secretary of State to--
 - initiate United States policy into action by calling on counterparts, especially Pakistan as the chair of the Organization of the Islamic Conference (OIC) and Egypt as the head of the African Group, to demand that they take prompt and effective measures to avert what French President Nicolas Sarkozy described as 'a repeat of the digression and extremes of 2001'; and
 - demarche foreign capitals raising the concerns of Congress and to report to Congress on what steps the United States and its allies have taken to address these concerns;
- Commends the countries that joined the United States, including the member states of the European Union, Albania, Andorra, Australia, Bosnia, Herzegovina, Croatia, Georgia, Israel, Moldova, Monaco, Montenegro, San Marino, Serbia, the former Yugoslav Republic of Macedonia,



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- Ukraine, Canada, and the Republic of Korea, to vote to uphold earlier United Nations consensus agreements to limit the scope and funding of the 2009 Durban Review Conference process;
- Urges those countries and all United Nations Member States to condition any further support for the 2009 Durban Review Conference process on the adherence to established human rights standards and on the rejection of an agenda that incites hatred against any group in the guise of criticism of a particular government or that seeks to forge a global blasphemy code;
 - Reaffirms its abiding commitment to the cause of combating continuing racism, racial discrimination, xenophobia, and related intolerance in all its forms including religious intolerance;
 - Urges all states to secure just treatment and the realization of fundamental human rights for all as enshrined in international human rights instruments, in particular the Universal Declaration of Human Rights, the International Convention on the Elimination of Racial Discrimination, and the International Covenant on Civil and Political Rights;
 - Commends the diverse civil society organizations that have joined together to learn from the shortcomings of the 2001 World Conference Against Racism, and to work together in a spirit of solidarity and mutual respect toward a 2009 Durban Review Conference that rejects hatred in all its forms;
 - Reaffirms that religious freedom is best preserved through protection of religious exercise by individuals of all faiths, without restricting the right of individuals of all faiths to express their beliefs and consciences;
 - Recognizes the purposeful attempts of some countries to use inflammatory language and divisive tactics to divert the 2009 Durban Review Conference from the important goal of eradicating global racism in order to foment anti-Semitism, renegotiate commitments made at the 2001 World Conference Against Racism, and prevent a focus on the lack of political will to address the ongoing impact of racism in their own countries and communities;
 - Calls on United Nations Secretary General Ban Ki-Moon to publicly urge the Human Rights Council to adhere to its mandate and to the high responsibility and expectations placed on it, and asks him to personally intervene to refocus the 2009 Durban Review Conference efforts on an actual review of what United Nations Member States have done to fulfill their commitments to combat racial discrimination and other intolerance, and on concrete action to fight racism, anti-Semitism, and all forms of hatred; and
 - Calls on the High Commissioner for Human Rights to urge United Nations Member States to adhere to the agreed framework of the 2009 Durban Review Conference and its previously agreed upon goals and parameters and to urge Member States of the preparatory committee to return to decision-making by consensus.

BACKGROUND

In 2009, Durban, South Africa will host the '2009 Durban Review Conference,' a United Nations-sponsored meeting. This conference is set to review the implementation of the commitments of the 2001 World Conference Against Racism. The World Conference Against Racism recognized and addressed the issue of racism and other forms of discrimination. However, certain countries (primarily members of the Organization of the Islamic Conference) used the World Conference Against Racism to espouse anti-Semitic views and branded Israel as an 'apartheid state' which has committed 'racist crimes against humanity.' Former Secretary of State Colin Powell withdrew the American delegation to the Conference after these actions.

There is concern that the upcoming Durban Review Conference will again be used by some United Nations member states as an opportunity to smear Israel. The United States, along with 40 other U.N. member nations, voted against authorizing \$8.6 million to fund the 2009 Durban Review Conference due to this controversy. The U.S. has also withheld from its UN funding an amount equal to its share of the cost of the upcoming meeting.

STAFF CONTACT



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